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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/554,970	02/05/2007	Bernd Gessner	14603-016US1 P2003,0256 U	1058
26161	7590	03/31/2008	EXAMINER	
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			POOS, JOHN W	
		ART UNIT	PAPER NUMBER	
		2816		
		MAIL DATE		DELIVERY MODE
		03/31/2008		PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/554,970	GESSNER ET AL.	
	Examiner	Art Unit	
	JOHN W. POOS	2816	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 05 February 2007.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-16 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-16 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 05 February 2007 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>10/27/2005 and 10/2/2006</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application
	6) <input type="checkbox"/> Other: _____ .

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the implementation with unipolar field effect circuit technology must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4, 6, 9-12 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Asazawa et al. (US 5,844,437).

In regard to Claim 1 (as taught in Figure 3):

A flip-flop circuit arrangement, comprising:

a pair-of input terminals to provide a differential clock signal; (C, C(bar))
a pair of output terminals to provide a differential output signal, (Q, Q(bar))
differential amplifiers each of the differential amplifiers comprising at least two transistors ((Q11 and Q12), (Q13 and Q14), (Q21 and Q22), (Q23 and Q24)), the transistors comprising collectors, each collector being part of one of plural series circuits containing a resistor ((R11, R12, and R13) and (R21, R22, and R23)), the series circuits being positioned between a power supply potential terminal (Vcc) and a first shared emitter node (emitters of Q11-Q14) and/or a second shared emitter node (emitters of Q21-Q24), sets of the collectors being interconnected (M, M(bar) and Q, Q(bar) nodes) to form a D flip-flop structure, the output terminals being at an output of at least one differential amplifier (Q, Q(bar)), the output of differential amplifier composed of Q23 and Q24));

a first current source to connect the first shared emitter node to a reference potential terminal; (IS11)

a second current source to connect the second shared emitter node to the reference potential terminal; (IS21)

a first switch between the power supply potential terminal (-VGG) and the first shared emitter node, the first switch having first control terminal that comprises part of the input

terminals; (Q71, input terminal C, where the switch and emitters are commonly connected to Vss)

a second switch between the supply potential terminal and the second shared emitter node, the second switch having a second control terminal that comprises part of the input. (Q72, input terminal C(bar), where the switch and emitters are commonly connected to Vss)

In regard to Claim 2 (as taught in Figure 3):

The flip-flop circuit of claim 1, wherein the differential amplifiers comprise:

a first differential amplifier (Q13 and Q14), comprising a first pair of emitter- coupled transistors connected to the first shared emitter node, the first pair of emitter-coupled transistors comprising collector terminals that form at last parts of a first circuit node and a second circuit node, the first pair of emitter-coupled transistors comprising base terminals that are cross-connected to collector terminals;

a second differential amplifier (Q11 and Q12), comprising a second pair of emitter- coupled transistors connected to the second shared emitter node, the second pair of emitter- coupled transistors comprising collector terminals that are connected to the first circuit node and/or to the second circuit node, the second pair of emitter-coupled transistors comprising base terminals that form at least part of a third circuit node and a fourth circuit node;

a third differential amplifier (Q23 and Q24), comprising a third pair of emitter- coupled transistors connected to the second shared emitter node, the third pair of emitter-coupled transistors comprising collector terminals that are connected to the third circuit node and/or to the fourth circuit node, the third pair of emitter- coupled transistors comprising and whose base terminals that are cross-connected to collector terminals; and

a fourth differential amplifier (Q21 and Q22) comprising a fourth pair of emitter-coupled transistors connected to the first shared emitter node, the fourth pair of emitter-coupled transistors comprising collector terminals that are connected to the third circuit node and/or to the fourth circuit node, the fourth pair of emitter-coupled transistors comprising base terminals that are connected to the second circuit node and/or to the first circuit node.

In regard to Claim 3 (as taught in Figure 3):

The flip-flop circuit of claim 2, wherein the first, the second, the third, and the fourth circuit nodes are each connected via a resistor in a series circuit to the power supply potential terminal. (R11, R12, R13, R21, R22, R23)

In regard to Claim 4:

The flip-flop circuit claim 2, wherein the first, the second, the third, and the fourth differential amplifiers and the first and the second switches are implemented using bipolar circuit technology. (Figure 3 and Asazawa Column 7: lines 5-10)

In regard to Claim 6 (as taught in Figure 3):

The flip-flop circuit of claim 1, wherein the flip-flop circuit is implemented in emitter-coupled logic circuit technology. (Q11-Q14 have coupled emitters, as well as Q21-Q24)

In regard to Claim 9:

A flip-flop circuit comprising:

input terminals to provide a clock signal; (C, C(Bar))

output terminals to provide an output signal, (Q, Q(bar))

a first differential amplifier (Q13, Q14) comprising first emitter-coupled transistors having emitters connected to a first emitter node, the first emitter-coupled transistors comprising

collector terminals that form at least parts of a first circuit node and a second circuit node, the first emitter-coupled transistors comprising base terminals that are cross-connected to collector terminals of the first emitter-coupled transistors;

 a second differential amplifier (Q11, Q12) comprising second emitter-coupled transistors having emitters connected to a second emitter node, the second emitter-coupled transistors comprising collector terminals that are connected to the first circuit node and/or to the second circuit node, the second emitter-coupled transistors comprising base terminals that form at least part of a third circuit node and a fourth circuit node;

 a third differential amplifier (Q23, Q24) comprising third emitter-coupled transistors having emitters connected to the second emitter node, the third emitter-coupled transistors comprising collector terminals that are connected to the third circuit node and/or to the fourth circuit node, the third emitter-coupled transistors comprising base terminals that are cross-connected to collector terminals of the third emitter-coupled transistors; and

 a fourth differential amplifier (Q21, Q22) comprising fourth emitter-coupled transistors having emitters connected to the first emitter node, the fourth emitter-coupled transistors comprising collector terminals that are connected to the third circuit node and/or to the fourth circuit node, the fourth emitter-coupled transistors comprising base terminals that are connected to the second circuit node and/or to the first circuit node;

 a reference potential that is connectable to the first emitter node and to the second emitter node; (Vss)

 a first switch between a power supply potential terminal and the first emitter node, the first switch having a first control terminal that comprises part of the input terminals; and (Q71)

a second switch between the supply potential terminal and the second emitter node, the second switch having a second control terminal that comprises part of the input terminals. (Q72)

In regard to Claim 10 (as taught in Figure 3):

The flip-flop circuit of claim 9, wherein the first, the second, the third, and the fourth circuit nodes are each connected via a resistor in a series circuit to the power supply potential terminal. (R11, R12, R13, R21, R2, R23).

In regard to Claim 11:

The flip-flop circuit of claim 9, wherein the first, the second, the third, and the fourth differential amplifiers and the first and the second switches are implemented using bipolar circuit technology. (Figure 3 and Asazawa Column 7: lines 5-10).

In regard to Claim 12 (as taught in Figure 3):

The flip-flop circuit of claim 9, further comprising:
a first current source to connect the first emitter node to the reference potential terminal;
and (IS11)
a second current source to connect the second emitter node to the reference potential terminal. (IS21)

In regard to Claim 14 (as taught in Figure 3):

The flip-flop circuit of claim 9, wherein the flip-flop circuit is implemented in emitter-coupled logic circuit technology. (Q11-Q14 have coupled emitters, as well as Q21-Q24)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asazawa et al. (US 5,844,437).

In regard to Claim 7:

All of the claim limitations have been discussed with respect to Claim 1 above, except for a shift register comprising the flip-flop circuit of claim 1. The examiner takes Official Notice that it is old and notoriously well known to form a shift register using flip-flop circuits. Therefore it would have been obvious to one skilled in the art at the time of the invention to use the flip-flop taught by Asazawa in a shift register in order to obtain the benefits/advantages taught by Asazawa, i.e. operating at a low power and a high frequency (Column 4: lines 60-67).

In regard to Claim 15:

All of the claim limitations have been discussed with respect to Claim 9 above, except for a shift register comprising the flip-flop circuit of claim 9. The examiner takes Official Notice that it is old and notoriously well known to form a shift register using flip-flop circuits. Therefore it would have been obvious to one skilled in the art at the time of the invention to use the flip-flop

taught by Asazawa in a shift register in order to obtain the benefits/advantages taught by Asazawa, i.e. operating at a low power and a high frequency (Column 4: lines 60-67).

7. Claims 5, 8, 13 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Asazawa et al. (US 5,844,437), in view of Tung et al. (US 6,559,693).

In regard to Claim 5:

All of the claim limitations have been discussed with respect to Claim 1 above, except for wherein the first current source and the second current source each comprise a transistor in implemented using metal oxide semiconductor circuit technology. Tung (693) teaches wherein the first current source and the second current source each comprise a transistor in implemented using metal oxide semiconductor circuit technology (Figure 1: MC1, MC2 and Tung Column 3: lines 12-14). It would have been obvious to one skilled in the art at the time of the invention to use MOSFET technology for the current sources, in order to achieve low operating power consumption and low supply voltage requirements (Tung Column 1: lines 37-38).

In regard to Claim 8:

All of the claim limitations have been discussed with respect to Claims 1 and 2 above, except for wherein at least one of the first, the second, the third, and the fourth differential amplifiers and the first and the second switches are implemented using unipolar field effect circuit technology. Tung (002) teaches, in Figure 1, a circuit with differential amplifiers, M3-M6 and M13-M16, which employs similar structure and connection as the present invention, where the circuit is implemented in unipolar (MOSFET) technology. Therefore it would have been obvious to one skilled in the art at the time of the invention to utilize unipolar technology for the

implementation of the flip flop circuit in order to achieve low operating power consumption and low supply voltage requirements (Tung Column 1: lines 37-38).

In regard to Claim 13:

All of the claim limitations have been discussed with respect to Claims 9 and 12 above, except for wherein the first current source and the second current source each comprise a transistor implemented using metal oxide semiconductor circuit technology. Tung (693) teaches wherein the first current source and the second current source each comprise a transistor implemented using metal oxide semiconductor circuit technology (Figure 1: MC1, MC2 and Tung Column 3: lines 12-14). Therefore it would have been obvious to one skilled in the art at the time of the invention to use MOSFET technology for the current sources, in order to achieve low operating power consumption and low supply voltage requirements (Tung Column 1: lines 37-38).

In regard to Claim 16:

All of the claim limitations have been discussed with respect to Claim 9 above, except for wherein at least one of the first, the second, the third, and the fourth differential amplifiers and the first and the second switches are implemented using unipolar field effect circuit technology. Tung (002) teaches, in Figure 1, a circuit with differential amplifiers, M3-M6 and M13-M16, which employs similar structure and connection as the present invention, where the circuit is implemented in unipolar (MOSFET) technology. Therefore it would have been obvious to one skilled in the art at the time of the invention to utilize unipolar technology for the implementation of the flip flop circuit in order to achieve low operating power consumption and low supply voltage requirements (Tung Column 1: lines 37-38).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gossmann (US 7,236,029) and Kang et al. (US 7,215,170) both respectively teach flip-flop circuits utilizing four differential amplifiers.

Communication

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN W. POOS whose telephone number is (571)270-5077. The examiner can normally be reached on M-F (alternating Fridays off), E.S.T.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Drew Richards, can be reached on 571-272-1736. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kenneth B. Wells/
Primary Examiner
Art Unit 2816

/J. W. P./
Examiner, Art Unit 2816